

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

MACOMB COUNTY EMPLOYEES'
RETIREMENT SYSTEM, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

MASSEY ENERGY COMPANY, DON L.
BLANKENSHIP, BAXTER F. PHILLIPS, JR.,
ERIC B. TOLBERT, RICHARD M. GABRYS,
LADY BARBARA THOMAS JUDGE, DAN R.
MOORE, JAMES B. CRAWFORD, ROBERT
H. FOGLESONG and STANLEY C.
SUBOLESKI,

Defendants.

No. 5:10-cv-00689

Hon. Irene C. Berger

FIREFIGHTERS' RETIREMENT SYSTEM OF
LOUISIANA, Individually and on Behalf of All
Others Similarly Situated,

Plaintiff,

v.

MASSEY ENERGY COMPANY, DON L.
BLANKENSHIP, BAXTER F. PHILLIPS, JR.,
ERIC B. TOLBERT, DAN R. MOORE, E.
GORDON GEE, RICHARD M. GABRYS,
JAMES B. CRAWFORD, ROBERT H.
FOGLESONG, STANLEY C. SUBOLESKI,
LADY BARBARA THOMAS JUDGE, and J.
CHRISTOPHER ADKINS,

Defendants.

No. 5:10-cv-00776

Hon. Irene C. Berger

**DECLARATION OF RICHARD A. SPEIRS IN SUPPORT OF WAYNE COUNTY
EMPLOYEES' RETIREMENT SYSTEM'S MOTION FOR CONSOLIDATION,
APPOINTMENT AS LEAD PLAINTIFF AND APPROVAL OF ITS
SELECTION OF LEAD COUNSEL AND LIAISON COUNSEL**

I, Richard A. Speirs, declare as follows:

1. I am a member in good standing of the bar of the State of New York. I am a member of the firm of Zwerling, Schachter & Zwerling, LLP ("Zwerling, Schachter"), one of the attorneys for Wayne County Employees' Retirement System ("Wayne County"). I am fully familiar with all the facts and circumstances herein.

2. This declaration is submitted in support of the Wayne County's motion, pursuant to the Private Securities Litigation Reform Act of 1995, for consolidation, appointment as Lead Plaintiff and approval of its selection of Lead Counsel and Liaison Counsel in the above-captioned actions.

3. Attached as Exhibits A through E are true and correct copies of the following documents:

Exhibit A: Certification of Richard Noelke, Acting Director of Retirement for Wayne County;

Exhibit B: First notice of pendency of this class action;

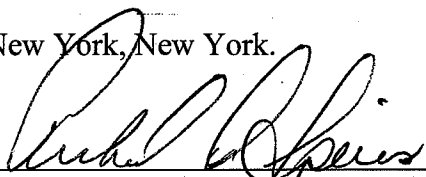
Exhibit C: Chart listing Wayne County's financial interest in this action;

Exhibit D: Firm resume of Zwerling, Schachter; and

Exhibit E: *Curriculum vitae* of Bradley J. Pyles, of Pyles & Turner, LLP.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 28th day of June, 2010 in New York, New York.


Richard A. Speirs